

REMARKS

Claims 1-32 remain in this application. Claims 23-32 are amended herein to correct typographical errors.

The Office Action requires election of an invention from the following:

Group I: Claims 1, 3, 6, 7, 9, 10, 12, 13, 15, 16, 18, 20, 21, 25, 27, 28, 30, and 31 drawn to a hyperthermia agent for malignant tumors which comprises cytokine and magnetic fine particles.

Group II: Claims 2, 3, 6, 7, 9, 10, 12, 13, 15, 16, 18, 22, 25, 27, 28, 30, and 31 drawn to a hyperthermia agent for malignant tumors that comprises a vector into which a cytokine gene is integrated so that the cytokine can be expressed in a malignant tumor cell and magnetic fine particles.

Group III: Claims 1, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 17, 18, 20, 21, 23, 24, 26, 27, 28, 29, 30, and 32 drawn to a method for using a cytokine for hyperthermia treatment of a malignant tumor.

Group IV: Claims 2, 4, 5, 6, 8, 9, 11, 12, 14, 15, 17, 18, 22, 23, 24, 26, 27, 28, 29, 30, and 32, drawn to a method of using a cytokine gene in hyperthermia treatment of a malignant tumor.

Applicant elects Group III: Claims 1, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 17, 18, 20, 21, 23, 24, 26, 27, 28, 29, 30, and 32 drawn to a method for using a cytokine for hyperthermia treatment of a malignant tumor.

The USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of claims 1, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 17, 18, 20, 21, 23, 24, 26, 27, 28, 29, 30, and 32 and all claims dependent therefrom and notice to that effect is earnestly solicited.

Respectfully submitted,
Jordan and Hamburg LLP

By C. Bruce Hamburg
C. Bruce Hamburg
Reg. No. 22,389
Attorney for Applicants

By and,

By Ricardo Unikel
Ricardo Unikel
Reg. No. 52,309
Attorney for Applicants

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340